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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,230	04/24/2001	Stuart Gerald Stubblebine	2455-4230US3	5050

7590
Mr. S H Dworetsky
AT&T Corp
P O Box 4110
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EXAMINER

ZEE, EDWARD

ART UNIT	PAPER NUMBER
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2135

MAIL DATE	DELIVERY MODE
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08/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 09/840,230</p>	<p>Applicant(s) STUBBLEBINE, STUART GERALD</p>	
	<p>Examiner EDWARD ZEE</p>	<p>Art Unit 2135</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 July 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 56.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/KimYen Vu/
Supervisory Patent Examiner, Art Unit 2135

Continuation of 11. does NOT place the application in condition for allowance because:

Regarding the 35 U.S.C. 112 2nd paragraph rejections:

The Applicant argues that the terms "long-term" and "short-term" are merely labels of two policies and do not render the claim any more indefinite than if the terms were respectively amended to "first policy" and "second policy". However, the Examiner respectfully disagrees and submits that the terms "long-term" and "short-term" may or may not suggest certain temporal constraints of the respectively labeled policy, whereas the terms "first" and "second" would not imply any such constraints, and thus renders the claim indefinite.

The Applicant further argues that the limitation "said request" in the instant claim does in fact have sufficient antecedent basis. However, the Examiner respectfully disagrees and notes that as admitted by the Applicant in the remarks filed on 07/17/08, there is in fact two separate "request" claimed in lines 5 and 15 of the instant claim, thus introduces insufficient antecedent basis issues.

Regarding the 35 U.S.C. 103 rejections:

The Applicant argues that the Muftic reference does not disclose a module that stores a validity statement "in response to a policy that is not the policy that is used to create the identification certificate". However, the Examiner respectfully notes that this explicit feature does not appear to be claimed in the instant claim.

The Applicant further argues that the Muftic reference does not disclose that the validity statement includes a verification status at some temporal reference. However the Examiner respectfully disagrees and submits that the reference does in fact disclose this feature (ie. certificate revocation list denotes the date and time of its revocation) [column 13, lines 10-12].

The Applicant further argues that the Muftic reference does not disclose a single validity statement which is stored in response to a particular policy. However, the Examiner respectfully disagrees and submits that the reference discloses storing a certificate revocation list, in which the list itself can be reasonably interpreted as a single validity statement, regardless of whether it denotes single certificate or a list of certificates. Furthermore, the Examiner respectfully notes that a certificate revocation list, amongst other features, at least denotes which certificates have been revoked, thus can be reasonably interpreted as a statement of validity of issued certificates.

The Applicant further argues that the Muftic reference does not disclose "a request by the user computer to have its own identification certificate and its corresponding validity statement". However, the Examiner respectfully notes that this explicit feature does not appear to be claimed in the instant claim.

The Applicant further argues that the Van Oorschot et al. reference does not provide what was allegedly missing from the Muftic reference as discussed above. However, the Examiner respectfully notes that the Van Oorschot et al. reference was not relied upon to disclose the alleged deficiencies discussed above.

The Applicant appears to argue that it would not have been obvious to modify the Muftic reference with the additional features of the Van Oorschot et al. reference because the Muftic reference's structure is sufficient and there is no need to further employ the teachings of the Van Oorschot et al. reference. However, the Examiner respectfully disagrees and submits that the Muftic reference does not appear to explicitly teach away from modifying the inventions with the features of Van Oorschot et al., and in fact discloses that the invention is capable of changes and modifications [column 18, lines 21-26].

The Applicant further argues that the Muftic and Van Oorschot et al. references in combination do not disclose "a module in a verification authority server that is distinct from all of the other servers". However, the Examiner respectfully notes that this explicit feature does not appear to be claimed in the instant claim.